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December 13, 2023

VIA ECF

Honorable P. Kevin Castel
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007-1312

*Revised
Schedule
Approved (FINAL)
SO ORDERED
12-13-23*

Re: Rusfeldt v. City of New York, et al., No. 22 Civ. 0594 (PKC)

Your Honor:

I am a Senior Counsel in the Office of the Honorable Sylvia O. Hinds-Radix, Corporation Counsel for the City of New York, and the principal attorney assigned to the above-captioned matter. The City writes with the knowledge and consent of Plaintiff's counsel to request an additional one-week extension to the present briefing schedule on the parties' cross-motions for summary judgment. There is no conference presently scheduled.

On November 27, 2023, Defendants wrote to request a two-week extension to the briefing schedule on the parties' cross-motions for summary judgment (ECF No. 103). Defendants explained that the extension was necessary due to an unforeseen family emergency confronting the undersigned counsel.¹ The Court granted Defendants' request on November 29th (ECF No. 104). Unfortunately, the situation confronting Defense counsel has continued to require significant attention outside of the Office. While Defendants have made significant progress on their summary judgment brief, they will not be able to complete work on that document and the accompanying papers in sufficient time to meet the current deadline of this Thursday, December 14, 2023.

Defense counsel contacted Plaintiff's counsel on Tuesday December 12, and Plaintiff's counsel once again graciously consented to Defense counsel requesting an extension of the remaining dates., this time by one week. Accordingly, Defendants respectfully request an additional week's extension and also request that the briefing schedule set forth in the Court's minute entry of November 29, 2023, be modified as follows:

<u>Brief</u>	<u>Current Date</u>	<u>Requested Date</u>
Defendants' combined opp. and cross-motion	Dec. 14, 2023	Dec. 21, 2023
Plaintiff's combined opp. and reply	Jan. 12, 2024	Jan. 19, 2024
Defendants' reply	Jan. 26, 2024	Feb. 2, 2024

¹ Counsel wishes to avoid putting specific details of a private health matter on the public docket, but will make further disclosure of the details to the Court *in camera* if necessary.

Defendants apologize for the additional disruption to the briefing schedule, and thank the Court for its attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'TEZ' with a stylized flourish at the end.

Tobias E. Zimmerman

Senior Counsel

Special Federal Litigation Division

cc: All Counsel (via ECF)